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| 09/852,244 | 05/10/2001 | Gordon Good | 200704491-1 | 4076 |

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| EXAMINER |
|---|
| CALLAHAN, PAUL E |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2437 | |

| NOTIFICATION DATE | DELIVERY MODE |
|---|---|
| 02/20/2009 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM
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| | Application No. | Applicant(s) |
| **Office Action Summary** | 09/852,244 | GOOD, GORDON |
| | Examiner | Art Unit |
| | PAUL CALLAHAN | 2437 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _16 October 2008_.

2a)☐ This action is **FINAL**.          2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-13,16,17,20-22,24-31 and 33-36_ is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-13, 16, 17, 20-22, 24-31, and 33-36_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All  b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

### *Continued Examination Under 37 CFR 1.114*

1.    A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection.  Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114.  Applicant's submission filed on 10-16-

2008 has been entered.

2.    Claims 1-13, 16, 17, 20-22, 24-31, and 33-36 are pending and have been

examined.

### *Response to Arguments*

3.    Applicant's arguments with respect to claims 1-13, 16, 17, 20-22, 24-31, and 33-

36 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Objections*

4.    Claims 16 and 20 are objected to because of the following informalities:  Each is

dependent from a now cancelled claim.  Appropriate correction is required.

## *Claim Rejections - 35 USC § 103*

5.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.      Claims 1-13, 16, 17, 20-22, 24-31, and 33-36 are rejected under 35 U.S.C.

103(a) as being unpatentable over Rothermel et al., US 6,678,827, and Teng et al., US

7,380,008.

As for claim 1, Rothermel teaches a method for automatically provisioning a

plurality of computing devices in accordance with established policies (col. 4 lines 20-

67), the method comprising the steps of: creating a plurality of templates reflecting said

policies (col. 4 lines 20-67), expanding at least one template at a central location to

create a document comprising expanded information (col. 4 lines 20-67), and sending

from the central location the expanded document comprising the expanded information

to said plurality of computing devices (col.4 line 49 thru col.5 line 13), and wherein at

least one template includes a reference to information external to the template, and

wherein said expanding step comprises creating a document that includes information

contained in the template and said external information (col. 11 lines 18-30). Rothermal

does not teach the step wherein the document is an XML document. However, Teng

does teach such an XML document where an XML template is expanded at a central

location by a server and where the document includes references to information

external to the template (fig. 39, col. 47 line 28 through col. 49 line 34). Therefore it

would have been obvious to one of ordinary skill in the art at the time the invention was

made to incorporate this feature into the system of Rothermal. It would have been

obvious to do so since this would allow for the use of XML documents compatible with

common platforms such as JAVA and allow greater portability of the system.

As for claim 2, Rothermel teaches interpreting the expanded information by

agents which are respectively resident on each of said plurality of computing devices

(col.5 lines 32-35).

As for claims 3 and 9, Rothermel teaches the structure of said plurality of

templates includes conditional statements that determine whether a template is to be

expanded with predetermined information on the basis of the computing device to which

the expanded information is being provided (col.4 lines 30-62., col.5 lines 60-67).

As for claims 4 and 10, Rothermel teaches the plurality of templates includes a

first category of templates that reflect policies applicable to all of the plurality of

computing devices (col.6 lines 20-32).

As for claims 5 and 11, Rothermel teaches at the plurality of templates includes a second category of templates that reflect policies applicable to only a subset of the plurality of computing devices (col.6 lines 20-32).

As for claims 6 and 12, Rothermel teaches the plurality of templates includes another category of templates that reflect policies only applicable to a particular type of the plurality of computing devices (col.6 lines 20-32).

As for claims 7 and 13, Rothermel teaches the method of claim 1, wherein said policies are security polices regarding user access to each of the plurality of computing devices. (col. 11 lines 1-45)

As for claim 8, Rothermel teaches a system for automatically provisioning a plurality of computing devices in accordance with established policies, the system comprising: a database system which stores a plurality of templates which reflect said polices (col.6 lines 56-60), a plurality of agents which are respectively resident on each of said plurality of computing devices (col. 5 lines 30-40), and which communicate with said database system to obtain information with regard to provisioning and maintenance of the respective computing devices (col. 5 lines 30-40), and a communications gateway through which communication messages are exchanged between said agents and said database system (col. 5 lines 1-12: Supervisor devices), wherein said communications gateway is configured to: retrieve the individual ones of

the plurality of templates, expand the plurality of retrieved templates to create

respective documents containing combined template information and expanded

information, and provided the documents containing the combined template information

and expanded information to said plurality of agents (col.4 lines 49 thru 67), and

wherein at least one template includes a reference to information external to the

template, and wherein said communication gateway expands the template by creating

a document that includes information contained in the template and said external

information. (fig. 3B items 30, 311, 316). Rothermal does not teach the step wherein

the document is an XML document. However, Teng does teach such an XML

document where an XML template is expanded at a central location by a server and

where the document includes references to information external to the template (fig.

39, col. 47 line 28 through col. 49 line 34). Therefore it would have been obvious to one

of ordinary skill in the art at the time the invention was made to incorporate this feature

into the system of Rothermal. It would have been obvious to do so since this would

allow for the use of XML documents compatible with common platforms such as JAVA

and allow greater portability of the system.

As for claim 16, Rothermel teaches a system wherein said external information

comprises a list of users (col. 11 lines 18-30).

As for claim 17, Rothermel teaches the system of claim 9 wherein said

communications gateway expands a template to include information contained in a

conditional statement only if the computing device to which said expanded information

is to be provided meets the condition (col. 11 lines 35-40).

As for claim 20, Rothermel teaches a method, wherein said external information

comprises a list of users (col. 11 lines 18-30).

As for claim 21, Rothermel teaches the method of claim 3, wherein said

expanding step includes the step of including information contained in a conditional

statement only if the computing device to which said expanded information is to be

provided meets the condition (col. 11 lines 18-30).

As for claims 22, 24-31, and 33-36, the claims are directed to the same method

as found in claims 1-14, 16-18, 20 and 21 in slightly reworded form. Therefore these

claims are rejected on the same basis as are claims 1-14, 16-18, 20 and 21.

### *Conclusion*

7.      Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Paul E. Callahan whose telephone number is (571) 272-

3869.  The examiner can normally be reached on M-F from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's

supervisor, Emmanuel Moise, can be reached on (571) 272-3865.  The fax phone

number for the organization where this application or proceeding is assigned is: (571)

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).


/Paul Callahan/
Examiner, Art Unit 2437

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2437